

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JENNIFER LAKE, as Personal
Representative of the Estate of
BENJAMIN PELCH, JR., Deceased,

Plaintiff,

v

HEARTLAND - BRIARWOOD MI, LLC
d/b/a HEARTLAND HEALTH CARE
CENTER - BRIARWOOD, and as
Successor Corporation to HEARTLAND
HEALTH CARE CENTER - BRIARWOOD,
and/or EAST MICHIGAN CARE
CORPORATION and/or MANOR CARE,
INC.,

Defendants.

CASE NO.: 08-14669
HONORABLE: Sean F. Cox

Lower Case No.: 08-89404-NM
HONORABLE: Joseph J. Farah

SCOTT L. FEUER (P38185)
TED KOZERSKI (P36894)
Attorney for Plaintiff
251 Merrill Street
Suite 203
Birmingham, Michigan 48009
(248) 723-7828, Ext. 201

WILLIAM D. CHAKLOS (P33180)
DAVID C. WIEGEL (P57277)
Attorneys for Defendant
One Woodward Avenue
Suite 2400
Detroit, MI 48226-5485
/ (313) 965-7925

**STIPULATION FOR QUALIFIED PROTECTIVE ORDER FOR
THE RELEASE OF IDENTITY OF BENJAMIN PELCH'S ROOMMATES AT
HEARTLAND HEALTH CARE CENTER- BRIARWOOD**

IT IS STIPULATED by and between counsel for the parties that Plaintiff, Jennifer Lake, is granted a Qualified Protective Order for the release of Benjamin Pelch's roommates' names (as well as last known address and telephone number) while he was a resident at Heartland Health Care Center - Briarwood, subject to the following stipulations being contained in the qualified protective order:

A.) That plaintiff's counsel and/or Plaintiff are prohibited from using or disclosing the protected health information for any purpose other

than in this litigation; that plaintiff's counsel and/or Plaintiff are required to return or destroy the protected information at the end of the litigation; and that this qualified protective order concerns solely the release of Benjamin Pelch's roommates names while he was a resident of Heartland Health Care Center - Briarwood.

- B.) That Plaintiff and/or plaintiff's counsel are required to notify Benjamin Pelch's roommates that Heartland Health Care Center - Briarwood were required to release their names and last known contact information due to a court order.
- C.) That plaintiff's counsel must inform Benjamin Pelch's roommates that they are under no obligation to meet with Plaintiff and/or plaintiff's counsel. Plaintiff's counsel is also required to provide said roommates with a copy of this order.
- D.) That discussions with Mr. Pelch's roommates are to only concern Mr. Pelch and his stay at Heartland Health Care Center - Briarwood and not their own health issues.
- E.) That plaintiff's counsel will provide at least 48 hour-advanced written notice to defense counsel of the date, time, and place of any meetings between plaintiff and/or plaintiff's counsel and Benjamin Pelch's roommates and allow defense counsel to attend any such meeting.

/s/ David Wiegel

DAVID WIEGEL (P57277)
Attorney for Defendant

/s/ Ted Kozerski (w/permission)

TED KOZERSKI (P36894)
Attorney For Plaintiff

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**ORDER FOR QUALIFIED PROTECTIVE ORDER FOR
THE RELEASE OF IDENTITY OF BENJAMIN PELCH'S ROOMMATES AT
HEARTLAND HEALTH CARE CENTER - BRIARWOOD**

Upon reading and filing of the above stipulation, and the Court being fully advised
in the premises;

IT IS HEREBY ORDERED that Plaintiff, Jennifer Lake, is granted a Qualified
Protective Order for the release of Benjamin Pelch's roommates' names (as well as last
known address and telephone number) while he was a resident at Heartland Health
Care Center - Briarwood, subject to the following stipulations:

- A.) That plaintiff's counsel and/or Plaintiff are prohibited from using or disclosing the protected health information for any purpose other than in this litigation; that plaintiff's counsel and/or Plaintiff are required to return or destroy the protected information at the end of the litigation; and that this qualified protective order concerns solely the release of Benjamin Pelch's roommates names while he was a resident of Heartland Health Care Center - Briarwood.
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- E.) That plaintiff's counsel will provide at least 48 hour-advanced written notice to defense counsel of the date, time, and place of any meetings between plaintiff and/or plaintiff's counsel and Benjamin Pelch's roommates and allow defense counsel to attend any such meeting.

Dated: July 17, 2009

s/ Sean F. Cox

Sean F. Cox
U. S. District Judge